

## REMARKS

In response to the Examiner's Office Action of December 21, 2004, Applicant has amended the claims to cure the indefiniteness referred to in paragraph 2.

With respect to the indication of allowable subject matter in paragraph 4, claims 5 and 6 have been rewritten in independent form so as to be allowable as presented.

Finally, with respect to the rejection under 35 U.S.C. § 102 set out in paragraph 3 of the Office Action, independent claim 1 has been amended to distinguish over the important feature of the prior art Handler reference Patent No. 5,879,185 described at the bottom of column 3 and the top of column 4 of said prior art patent as follows:

*"The sides 52, 54 of the device plate 40 do not rest against the top edges 19 of the walls of the raceway. Instead they are raised by the thickness of the cover 38 of the raceway. This is in part because the transverse sides 44, 46 of the device plate 40 overlap the raceway cover."*

The present invention seeks to avoid any need for resting the device plate on end portions of the raceway cover segments, and instead provides the device plate between the end portions of the raceway cover segments. Further, it is an important feature of the present invention that the device plate is held in place by the bent end portions of the device plate, and more particularly by the J-shaped projections that interact with the raceway base for this purpose.

In the Handler reference, the device plate is provided with flanges that cooperate with the raceway base in much the same manner as the structure used to assemble the raceway cover segments with the raceway base. As a result of eliminating any such flanges as suggested in the prior art, the present invention allows openings or slots to be provided for in the device plate that can accommodate such flanges on the cover plate (see claims 5 and 6 where such slots are specifically

called for to receive such flanges on the cover plate in the unique combination disclosed in the present application.

In conclusion, claims 5 and 6 have been rewritten in independent form so as to be allowable as now presented.

Independent claim 1 has been amended to more clearly distinguish over the prior art Handler structure for the reasons presented above and therefore should be allowable as well. Dependent claims 2, 3 and 4 still depend from amended claim 1 and should be allowable therewith.

In closing, Applicants note that the Examiner's reasons for allowance are related to the presence of the space top and bottom edges of the device bracket such as to define the slots for receiving the inturned or inwardly formed flanges of the cover plate. Applicants contend that the novelty here resides at least in part on the unique way in which the device plate is attached to the raceway base without requiring any inwardly formed flanges such as have been assumed necessary in attaching both raceway cover segments and other items such as device brackets to a C-shaped raceway of this general variety. Thus, the invention here appears to be somewhat broader in aspect than recognized by the Examiner's reason for allowance. Raceways of this general 3000/4000 style with a flat cover and a U-shaped base have been available on the market for many years. Until the development of Applicants' unique device plate, however, the use of carefully spaced sheet metal clips was required to accommodate duplex outlet plugs and cover plates of conventional configuration in such raceway.

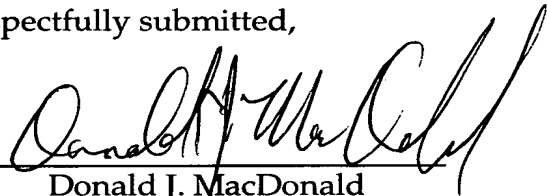
While the prior art also shows raised outlet plugs of the type suggested in the Handler '185 Patent, there is a need for simplifying the installer's task in assembling various outlet devices in this raceway without sacrifice to the low profile appearance afforded formerly available only by the careful fitting required to install multiple clips for receiving conventional outlet devices in this so called two piece metal raceway environment.

In the drawings, please substitute the enclosed formal drawings for the informal drawings as filed in this case.

Applicants believe that no fees are due at this time; however, any deficiencies may be charged to our Deposit Account No. 13-0235.

Respectfully submitted,

By



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